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EXAMINER	
PHAM, HUNG Q	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/783,318	Applicant(s) OSTROFF ET AL.	
	Examiner HUNG Q PHAM	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-31 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-31 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 5, 7, 9, 13-16, 21, 23, 25, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frauenhofer et al. [USP 6,236,991 B1].

Regarding to claims 1, and 9, Frauenhofer teaches a system, method for collecting, categorizing and searching metadata about content provided on the Internet and/or intranet for delivery in accordance with customized user profiles (Abstract). As

shown in FIG. 1, sources 11 provide electronic content on-line to content providers 12. The System Server 10 gathers electronic content from content providers, as well as directly from sources, if necessary. At the System Server, the electronic content is categorized, with duplicate copies eliminated, and is stored in so-called "channels" of information. Each channel represents a particular category or group of categories of related information. An end user 16 will specify the areas of interest for which that end user wishes to obtain electronic information by using a complex user query and user profile as ***a data description tool for describing the data of interest on the Internet***. The user profile is created by system components, which are located at the Customer Intranet Server 14. "Creation" of the user profile involves not only the extension of user-input language, but also the elimination of non-critical language, inclusion of semantic knowledge, and cross relating of user interest topics (Col. 2, line 40-Col. 3, line 11). The System Server receives input from the content providers 12, as well as possibly from the internal sources 15 via the Customer Intranet Server 14. Receipt of input from both external and internal sources can be a passive process, or an active process by using crawler as ***a gathering device for gathering the data of interest*** (Col. 3, lines 20-30). As shown in FIG. 2, information gathered from external sources will be mapped to the established channels also as from internal sources as ***a data interpreter for interpreting the data of interest gathered by said gathering device***, so that an end user can readily access all relevant information in a category or channel as the result of a single query (Col. 3, line 31-43). Frauenhofer further discloses: once documents from both the internal and external sources have been categorized/assigned channels, both the

documents and the assigned channels are stored in a local database at the Customer Intranet Server or associated customer location. Inventive components at the Customer Intranet Server match the channels assigned to each of the incoming documents with the user's interests as found in the user profile. Each document is then made available for access by, or is sent to, the user whose interests it matches (Col. 4, lines 44-52). The Frauenhofer system can be programmed to conduct on-going matching such as checking every new document entry for a match with the user profile, periodic matching such as every 12 hours, or matching only upon user prompting such as when a user connects to the Customer Intranet Server and asks for an update (Col. 3, lines 12-19). Document also could be search by either a single token or a combination of tokens (Col. 5, line 48-Col. 6, line 19). This technique indicates ***a reporting device generating a report of the results of said data interpreter to a client for the data of interest***. Frauenhofer does not explicitly teach the gathering device for gathering the data of interest ***utilizing data description tool***. However, as disclosed by Frauenhofer, users of the system initially specify which topics are of interest. This specification may take the form of a simple subscription to pre-defined user interest categories, a modifiable subscription whereby the user may add to or otherwise edit the pre-defined categories, a completely user-customized set of queries, or a combination of any of the foregoing. Each query represents a topic, and can identify a channel and additionally contain boolean, fuzzy, proximity and/or hierarchical operators (Col. 5, lines 34-47). Receipt of input from both external and internal sources can be a passive process, whereby the documents are continuously or periodically supplied to the System Server, or an active process,

whereby system crawler components seek out the documents via word searching, site mapping, etc (Col. 3, lines 20-30). This indicates the system crawler as gathering device utilizing the user profile as data description tool by using customized set of queries for supplying documents to the System Server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by utilizing the data description tool for gathering data of interest, and by doing this, a document could be searched and provided to a user via user profile.

Regarding to claims 5, and 13, Frauenhofer teaches all the claimed subject matters as discussed in claims 1, and 9, and further discloses the technique of ***controlling the frequency in which said gathering device gathers the data of interest*** (Col. 3, lines 20-30).

Regarding to claim 7, Frauenhofer teaches all the claimed subject matters as discussed in claim 1, and further discloses: ***a graphical interface for allowing the client to view said report*** (Col. 6, lines 57-59).

Regarding to claim 14, Frauenhofer teaches all the claimed subject matters as discussed in claim 9, Frauenhofer further discloses: ***creating step provides a site structure description language for said gathering step*** (Frauenhofer, Col. 2, line 66-Col. 3, line 11).

Regarding to claim 15, Frauenhofer teaches all the claimed subject matters as discussed in claim 9, Frauenhofer fails to teach the step of ***requiring the client to provide identification prior to receiving said report***. However, the technique of verifying identification to receive report is well known in the art such as Microsoft Outlook, an email client has to provide password to receive his or her emails from the email server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer method by including the technique of providing identification in order to have a more secure method of providing the information in the Internet.

Regarding to claims 16, and 25, Frauenhofer teaches a system, method for collecting, categorizing and searching metadata about content provided on the Internet and/or intranet for delivery in accordance with customized user profiles (Abstract). As shown in FIG. 2, a Channel Map for ***describing the data provided on a particular Internet web site*** can be constructed at the System Server and considered by ***a web site description tool***, each entry in the Channel Map may include a list of channels in which web pages and documents from the respective server and directory are to appear (Col. 3, lines 39-60). As shown in FIG. 1, sources 11 provide electronic content on-line to content providers 12. The System Server 10 gathers electronic content from content providers, as well as directly from sources, if necessary. At the System Server, the electronic content is categorized, with duplicate copies eliminated, and is stored in so-called "channels" of information. Each channel represents a particular category or group

of categories of related information. An end user 16 will specify the areas of interest for which that end user wishes to obtain electronic information by using a complex user query and user profile. The user profile is created by system components, which are located at the Customer Intranet Server 14. "Creation" of the user profile involves not only the extension of user-input language, but also the elimination of non-critical language, inclusion of semantic knowledge, and cross relating of user interest topics (Col. 2, line 40-Col. 3, line 11). The System Server receives input from the content providers 12, as well as possibly from the internal sources 15 via the Customer Intranet Server 14. Receipt of input from both external and internal sources can be a passive process, or an active process by using crawler as ***a gathering device for gathering the data of a particular web site*** (Col. 3, lines 20-30). As shown in FIG. 2, information gathered from external sources will be mapped to the established channels also as from internal sources as ***a data interpreter for interpreting the data gathered by said gathering device for each particular Internet web site***, so that an end user can readily access all relevant information in a category or channel as the result of a single query (Col. 3, line 31-43). Frauenhofer further discloses: once documents from both the internal and external sources have been categorized/assigned channels, both the documents and the assigned channels are stored in a local database at the Customer Intranet Server or associated customer location. Inventive components at the Customer Intranet Server match the channels assigned to each of the incoming documents with the user's interests as found in the user profile. Each document is then made available for access by, or is sent to, the user whose interests it matches (Col. 4, lines 44-52). A Channel

Map can be constructed at the System Server, each entry in the Channel Map may include a list of channels in which web pages and documents from the respective server and directory are to appear (Col. 3, lines 39-60). The Frauenhofer system can be programmed to conduct on-going matching such as checking every new document entry for a match with the user profile, periodic matching such as every 12 hours, or matching only upon user prompting such as when a user connects to the Customer Intranet Server and asks for an update (Col. 3, lines 12-19). Document also could be search by either a single token or a combination of tokens (Col. 5, line 48-Col. 6, line 19). This technique indicates ***a reporting device generating a report of the results of said data interpreter to a client for a particular Internet web site, said results including the placement of the particular web site on a search engine as well as navigational information relating to the particular web site***. Frauenhofer does not explicitly teach the gathering device for gathering the data of interest ***utilizing web site description tool***. However, as disclosed by Frauenhofer, users of the system initially specify which topics are of interest. This specification may take the form of a simple subscription to pre-defined user interest categories, a modifiable subscription whereby the user may add to or otherwise edit the pre-defined categories, a completely user-customized set of queries, or a combination of any of the foregoing. Each query represents a topic, and can identify a channel and additionally contain boolean, fuzzy, proximity and/or hierarchical operators (Col. 5, lines 34-47). Receipt of input from both external and internal sources can be a passive process, whereby the documents are continuously or periodically supplied to the System Server, or an active process, whereby system crawler

components seek out the documents via word searching, site mapping, etc (Col. 3, lines 20-30). This indicates the system crawler as gathering device utilizing the user profile as data description tool by using customized set of queries for supplying documents to the System Server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by utilizing the data description tool for gathering data of interest, and by doing this, a document could be searched and provided to a user via user profile.

Regarding to claims 21, and 29, Frauenhofer teaches all the claimed subject matters as discussed in claims 16, 25, and further discloses the technique of ***controlling the frequency in which said gathering device gathers the data of a particular web site*** (Col. 3, lines 20-30).

Regarding to claim 23, Frauenhofer teaches all the claimed subject matters as discussed in claim 16, and further discloses: ***a graphical interface for allowing the client to view said report*** (Col. 6, lines 57-59).

Regarding to claim 30, Frauenhofer teaches all the claimed subject matters as discussed in claim 25, Frauenhofer further discloses the step of ***providing site structure description language for said gathering step*** (Frauenhofer, Col. 2, line 66-Col. 3, line 11).

Regarding to claim 31, Frauenhofer teaches all the claimed subject matters as discussed in claim 25, Frauenhofer fails to teach the step of ***requiring the client to provide identification prior to receiving said report***. However, the technique of verifying identification to receive report is well known in the art such as Microsoft Outlook, an email client has to provide password to receive his or her emails from the email server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer method by including the technique of providing identification in order to have a more secure method of providing the information in the Internet.

3. Claims 2-4, 6, 8, 10-12, 17-20, 22, 24, 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frauenhofer et al. [USP 6,236,991 B1] in view of Knight et al. [USP 6,493,703 B1].

Regarding to claims 2, 10, and 26, Frauenhofer teaches all the claimed subject matters as discussed in claims 1, 9, and 25, but fails to disclose: ***a content comparator rule generator for producing content standardization rules to put said data of interest provided from said gathering device in a standardized format***. Knight teaches a system for monitoring of subscriber tastes and interests so that relevant content can be located, extracted and presented in accordance with subscriber derived feedback information (Knight, Col. 1, lines 20-25) by using a series of software robots as ***gathering devices*** for locating, retrieving, and sorting the content derived from other news groups (Knight,

Abstract). Knight further discloses the technique of ***producing content standardization rules to put said data of interest provided from said gathering device in a standardized format*** (Knight, Col. 11, lines 21-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by using a content comparator rule generator for producing content standardization rules as taught by Knight in order to present the data in an abbreviated listing format.

Regarding to claim 3, Frauenhofer teaches all the claimed subject matters as discussed in claim 1, but fails to disclose: ***a report analysis device for analyzing the data of interest produced by said data interpreter***. Knight teaches a system for monitoring of subscriber tastes and interests so that relevant content can be located, extracted and presented in accordance with subscriber derived feedback information (Knight, Col. 1, lines 20-25) by using a series of software robots for locating, retrieving, and sorting the content derived from other news groups (Knight, Abstract). Knight further discloses the technique ***for analyzing the data of interest produced by said data interpreter*** (Knight, Col. 11, line 66-Col. 12, line 47). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by using the technique of analyzing the data of interest as taught by Knight in order to classify the data from other news groups.

Regarding to claim 4, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 2, Knight further discloses the technique of ***analyzing the data of interest produced by said data interpreter*** (Knight, Col. 11, line 66-Col. 12, line 47).

Regarding to claim 6, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 2, Frauenhofer further discloses: ***data description tool includes site structure description language, a data warehouse for storing site structure description language*** (Frauenhofer, Col. 2, line 66-Col. 3, line 11). Knight discloses a data warehouse for ***content standardization rules*** (Knight, Col. 1, lines 21-65).

Regarding to claim 8, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 2, but fails to teach: ***a client account system for allowing each client access to said report appropriate to each client.*** However, the technique of verifying identification to receive report is well known in the art, such as Microsoft Outlook, an email client has to have an account with provided password to receive his or her emails from the email server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer method by including a client account system for allowing access in order to have a more secure system of providing the information in the Internet.

Regarding to claims 11, and 27, Frauenhofer teaches all the claimed subject matters as discussed in claims 9, and 25, but fails to disclose the step of ***analyzing the***

data produces by said gathering step prior to generating said report. Knight teaches a system for monitoring of subscriber tastes and interests so that relevant content can be located, extracted and presented in accordance with subscriber derived feedback information (Knight, Col. 1, lines 20-25) by using a series of software robots for locating, retrieving, and sorting the content derived from other news groups (Knight, Abstract). Knight further discloses the technique ***for analyzing the data produces by said gathering step prior to generating said report*** (Knight, Col. 11, line 66-Col. 12, line 47). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by using the technique of analyzing the data of interest as taught by Knight in order to classify the data from other news groups.

Regarding to claims 12, and 28, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claims 10, and 26, Knight further discloses the technique of ***analyzing the data produces by said gathering step prior to generating said report*** (Knight, Col. 11, line 66-Col. 12, line 47).

Regarding to claim 17, Frauenhofer teaches all the claimed subject matters as discussed in claim 16, but fails to disclose: ***the data gathered from the web site includes placement information and a site analysis device used to describe the data on the particular web site***. Knight teaches a system for monitoring of subscriber tastes and interests so that relevant content can be located, extracted and presented in accordance with subscriber derived feedback information (Knight, Col. 1, lines 20-25) by using a series

of software robots for locating, retrieving, and sorting the content derived from other news groups (Knight, Abstract). Knight further discloses: ***the data gathered from the web site includes placement information and a site analysis device used to describe the data on the particular web site*** (Knight, Col. 11, line 66-Col. 12, line 47). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by using the technique of describing the data of a particular web site as taught by Knight in order to classify the data from other news groups.

Regarding to claims 18, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 17, Knight further discloses the technique of ***producing content standardization rules to put said data provided from said gathering device in a standardized format*** (Knight, Col. 11, lines 21-65).

Regarding to claim 19, Frauenhofer teaches all the claimed subject matters as discussed in claim 16, but fails to disclose: ***a report analysis device for analyzing the data produced by said data interpreter***. Knight teaches a system for monitoring of subscriber tastes and interests so that relevant content can be located, extracted and presented in accordance with subscriber derived feedback information (Knight, Col. 1, lines 20-25) by using a series of software robots for locating, retrieving, and sorting the content derived from other news groups (Knight, Abstract). Knight further discloses the technique ***for analyzing the data produced by said data interpreter*** (Knight, Col. 11, line 66-Col. 12, line

47). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer system by using the technique of analyzing the data of interest as taught by Knight in order to classify the data from other news groups.

Regarding to claim 20, Frauenhofer teaches all the claimed subject matters as discussed in claim 18, Knight further discloses the technique ***for analyzing the data produced by said data interpreter*** (Knight, Col. 11, line 66-Col. 12, line 47).

Regarding to claim 22, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 18, Frauenhofer further discloses: ***data description tool includes site structure description language, a data warehouse for storing site structure description language*** (Frauenhofer, Col. 2, line 66-Col. 3, line 11). Knight discloses a data warehouse for ***content standardization rules*** (Knight, Col. 1, lines 21-65).

Regarding to claim 24, Frauenhofer and Knight teaches all the claimed subject matters as discussed in claim 17, but fails to teach: ***a client account system for allowing each client access to said report appropriate to each client***. However, the technique of verifying identification to receive report is well known in the art, such as Microsoft Outlook, an email client has to have an account with provided password to receive his or her emails from the email server. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Frauenhofer

method by including a client account system for allowing access in order to have a more secure system of providing the information in the Internet.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Pham whose telephone number is 703-605 4242. The examiner can normally be reached on Monday-Friday, 7:00 Am - 3:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU, KIM YEN can be reached on 703-305 4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746 7239 for regular communications and 703-746 7238 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305 3900.

Examiner: Hung Pham
February 12, 2003

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100